DUANE A. FRANDSEN DAN C. KELLER

FRANDSEN AND KELLER ATTORNEYS AT LAW PRICE, UTAH

MEDFORD 7-1245 MEDFORD 7-1246

October 26, 1960

Office of the State Engineer State Capitol Salt Lake City, Utah

ATTENTION: Donald C. Norseth

Distribution Engineer

Re: Muddy Creek

Re: Independent Canal vs. Emery Canal

Dear Sir:

The distribution of water on Muddy Creek in the above matter for the past irrigation season has worked out reasonably satisfactory. Homer Edwards, under your supervision, has done a good job of measuring the water. At the time Mr. Edwards was appointed there was discussion with you and the water users on the necessity of installing additional measuring devices and whether the present ones were adequate. It was agreed that a check would be made on these existing installations to determine whether they were sufficient.

Officers of Independent Canal & Reservoir Company have called to my attention that the flush gates underneath the $12\frac{1}{2}$ ' wier in the Emery Canal are leaking. This fact has been confirmed with Homer Edwards, water commissioner. It is impossible to tell the size of the stream that is leaking through but it is a sizable amount. We call this to your attention and request that you take immediate steps to have the Emery Canal fix these defective gates, and if you conclude that the existing facilities are not adequate to accurately measure the water that you direct that new measuring devices be installed for another year.

Please give this matter your immediate attention, and address your reply to me when you can give this problem your attention.

Very truly yours,

D. A. Frandsen

DAF/ao

CC: Emery Canal & Reservoir - Emery
Independent Canal & Reservoir - kFerron
Homer Edwards - Moore

T. N. Jensen - Price